



**Service of Process  
Transmittal**

01/19/2011

CT Log Number 517899317

**TO:** Ryan Check, Associate General Counsel  
Virtual Radiologic Corporation (5067-476174-5)  
11995 Singletree Lane, Suite 500  
Eden Prairie, MN 55344

**RE: Process Served in Louisiana**

**FOR:** Virtual Radiologic Professionals, LLC (Domestic State: DE)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** James Taylor and Karen Chapman, individually and o/b/o the estate of Joshua Taylor, Pltfs./Petitioners vs. Edward W. Wong, M.D., et al. including Virtual Radiologic Professionals, P.L.C., L.L.C., Dfts.  
*Name discrepancy noted.*

**DOCUMENT(S) SERVED:** Citation, First Supplemental and Amended Petition, Petition

**COURT/AGENCY:** 4th Judicial District Court, Parish of Ouachita, LA  
Case # 10-4414

**NATURE OF ACTION:** Medical Injury - Improper Care and Treatment - Alleging improper interpretation of a CT scan caused Mr. Taylor's death

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Baton Rouge, LA

**DATE AND HOUR OF SERVICE:** By Process Server on 01/19/2011 at 08:30

**APPEARANCE OR ANSWER DUE:** Within 15 days after you have received the document(s)

**ATTORNEY(S) / SENDER(S):** Brian A. Gilbert  
2030 St. Charles Avenue  
New Orleans, LA 70130  
504-598-1000

**ACTION ITEMS:** CT has retained the current log, Retain Date: 01/19/2011, Expected Purge Date: 01/24/2011  
Image SOP  
Email Notification, Kelli Rester kelli\_rester@AJG.com  
Email Notification, Denise Greene denise\_greene@ajg.com  
Email Notification, Ryan Check ryan.check@vrad.com  
Email Notification, Mary Garlie mary.garlie@vrad.com

**SIGNED:** C T Corporation System  
**PER:** Lisa Uttech  
**ADDRESS:** 5615 Corporate Blvd  
Suite 400B  
Baton Rouge, LA 70808  
225-922-4490  
**TELEPHONE:**

**CITATION**

D1779115  
KS

**JAMES TAYLOR, ET AL**

**VS**

**EDWARD W WONG MD, ET AL**

**DOCKET NUMBER: C-20104414**

**SEC: C2**

**STATE OF LOUISIANA**

**PARISH OF OUACHITA**

**FOURTH JUDICIAL DISTRICT COURT**

**EAST BATON ROUGE PARISH**

**TO:**

**VIRTUAL RADIOLOGIC, PROFESSIONALS, P.L.C. LLC**  
**REGISTERED AGENT: CT CORPORATION SYSTEM**  
5615 CORPORATE BLVD, STE 400B  
BATON ROUGE, LA 70808

**YOU HAVE BEEN SUED.**

Attached to this Citation is a certified copy of the Petition. The petition tells you what you are being sued for.

You must **EITHER** do what the petition asks, **OR**, within **FIFTEEN (15) days** after you have received these documents, you must file an answer or other legal pleadings in the Office of the Clerk of this Court at the Ouachita Parish Court House, 301 South Grand, Monroe, Louisiana.

If you do not do what the petition asks, or if you do not file an answer or legal pleading within **FIFTEEN (15) days**, a judgment may be entered against you without further notice.

This Citation was issued by the Clerk of Court for Ouachita Parish, on this 13TH DAY OF JANUARY, 2011.

**W.J. (BILL) HODGE, CLERK OF COURT**

Also attached are the following:

**FIRST SUPPLEMENTAL AND AMENDED PETITION FOR DAMAGES, ORIGINAL  
PETITION FOR DAMAGES**

**KATHY STEWART**

By: \_\_\_\_\_  
Deputy Clerk

**FILED BY: BRIAN A. GILBERT #21297**

\_\_\_\_\_ **ORIGINAL**

\_\_\_\_\_ **SERVICE COPY**

\_\_\_\_\_ **FILE COPY**

**CERTIFIED  
TRUE COPY**

*[Signature]*  
**JAN 13 2011**  
**DEPUTY CLERK**  
**4TH JUDICIAL DISTRICT COURT**  
**OUACHITA PARISH, LA**

4<sup>th</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF OUACHITA

STATE OF LOUISIANA

NO.: 10-4414

SECTION C2

JAMES TAYLOR AND KAREN CHAPMAN, INDIVIDUALLY, AND ON BEHALF OF  
THE ESTATE OF JOSHUA TAYLOR

Versus

EDWARD W. WONG, M.D.

FILED: JAN 13 2011 DEPUTY CLERK: GWEN STANSELL

FIRST SUPPLEMENTAL AND AMENDED PETITION FOR DAMAGES

NOW INTO COURT, COMES JAMES TAYLOR AND KAREN CHAPMAN,  
INDIVIDUALLY, AND ON BEHALF OF THE ESTATE OF JOSHUA TAYLOR, by and  
through undersigned counsel, who hereby amends and supplements their Original Petition for  
Damages as follows:

1.

Made defendants herein are:

1. Dr. Edward Wong, M.D., a person of full age of majority and a resident of the  
State of Minnesota and who may be served at 5995 Opus Parkway,  
Minneapolis, MN 55343, upon information and belief, not a qualified provider  
within the meaning of the Louisiana Medical Malpractice Act.
2. Virtual Radiologic Professionals, P.L.C., L.L.C., a Minnesota limited liability  
corporation licensed to do and doing business in the State of Louisiana, having  
its principal place of business in the State of Minnesota, and who may be  
served through its registered agent for service of process, CT Corporation  
System, 5615 Corporate Blvd., Ste. 400B, Baton Rouge, Louisiana, 70808,  
upon information and belief, not a qualified provider within the meaning of the  
Louisiana Medical Malpractice Act.
3. Virtual Radiologic Corporation, a Delaware corporation licensed to do and doing  
business in the State of Louisiana, having its principal place of business in the  
State of Minnesota, and who may be served through its registered agent for  
service of process, CT Corporation System, 5615 Corporate Blvd., Ste. 400B,

RECEIVED  
JAN 13 P 3:20  
OUACHITA PARISH  
CLERK OF COURT

Baton Rouge, Louisiana, 70808, upon information and belief, not a qualified provider within the meaning of the Louisiana Medical Malpractice Act.

II.

Plaintiffs James Taylor and Karen Chapman, appearing individually and on behalf of the Estate of Joshua Taylor, are residents of the Parish of Franklin and each has attained the full age of majority.

III.

At all times material hereto, defendants, Dr. Edward Wong, M.D. (hereinafter "Dr. Wong") and Virtual Radiologic Professionals, P.L.C., L.L.C. and/or Virtual Radiologic Corporation (hereinafter "Virtual Radiologic") held themselves out to the Plaintiffs, and to the public at large, to be skilled and well qualified, possessing a high degree of knowledge in the field of medical radiology.

IV.

On or about March 17, 2009, Dr. Wong, who is upon information and belief an employee and/or owner of Virtual Radiologic, was electronically forwarded CT scan images depicting the head and brain of Joshua Taylor, an eighteen year old male, now deceased, who on said date was a patient at St. Francis Medical Center in Monroe, Louisiana. Upon information and belief, the CT scan images were electronically forwarded to Defendants' offices in the State of Minnesota pursuant to a contractual agreement between Defendants and St. Francis Medical Center.

V.

The CT scan images were taken in conjunction with Joshua Taylor's admission to the emergency room at St. Francis Medical Center on or about March 16, 2009. The scan was ordered due to his complaints of confusion, altered mental state, hallucinations, eye pain and severe headache lasting approximately three days.

VI.

At all pertinent times, Dr. Wong was not physically present at St. Francis Medical Center in the State of Louisiana, but instead, upon information and belief, Dr. Wong was situated in the State of Minnesota, and was therefore unable to physically examine Joshua Taylor.

VII.

Dr. Wong electronically interpreted the results of the CT scan images and electronically documented his interpretation of same within a "Preliminary Radiology Report" dated March 17,

2009 which was dictated, transcribed and authenticated at 2:33 a.m. The report indicated that Dr. Wong had contemporaneously discussed the results with St. Francis Medical Center emergency room physician Dr. Randy Davis.

VIII.

Dr. Wong's electronic report and/or verbal and/or electronic communications with Dr. Davis failed to relate the presence of a non-displaced fracture of the midline of the posterior cranial fossa in Joshua Taylor's skull.

IX.

Dr. Wong interpreted the CT scan images erroneously, negligently, and in direct violation of the standards of care applicable under the circumstances. Further, Dr. Wong negligently failed to advise Dr. Davis of the skull fracture in direct violation of the standards of care applicable under the circumstances.

X.

As a direct result of Dr. Wong's negligence, treating physicians at St. Francis Medical Center were erroneously led to believe that no skull fracture was present, and trauma was consequently ruled-out by said physicians as a potential cause of Joshua Taylor's other injuries, namely, a bilateral frontal lobe hemorrhagic contusion with multiple edema.

XI.

Treating physicians at St. Francis Medical Center were misled by Dr. Wong's erroneous interpretation of the CT scan images, and erroneously began treatment for Hemorrhagic Herpes encephalitis.

XII.

The St. Francis Medical Center physicians' treatment included high dose anti-viral medication and a spinal tap to obtain cerebrospinal fluid from the lumbar region of Joshua Taylor's spine.

XIII.

The spinal tap reduced Joshua's spinal pressure allowing his swollen brain to begin to push its way through the structures within the skull causing herniation. The herniation led to posterior cerebral infarction.

XIV.

Following the herniation, a subsequent carotid angiogram confirmed that there was no blood flow by way of carotid arteries to the majority of brain tissue. The absence of blood caused damage to Joshua Taylor's brain and eventual brain death.

XV.

On March 21, 2009, Joshua Taylor died as a result of his injuries.

XVI.

Defendants' negligence caused or contributed to Joshua Taylor's death.

XVII.

The lack of proper interpretation of the CT scan by Defendants resulted in a misdiagnosis, which led to errors in the course of Joshua Taylor's treatment and his eventual death. Defendants are liable to Plaintiffs in the following non-exclusive particulars:

- A. The conduct displayed by Defendants was below the standard considered appropriate for the specialty held by the Defendants Dr. Wong and Virtual Radiologic under the particular circumstances of this case;
- B. The substandard care resulted in the harm suffered by Plaintiffs;
- C. Defendants failed to use reasonable care and diligence along with their best judgment in treating Joshua Taylor;
- D. Joshua Taylor's death was proximately caused by this lack of reasonable care and diligence; failure to examine the patient; failure to clinically correlate findings; failure to follow-up; electronic medicine; any and all other negligent conduct in violation of applicable standards of care.

XVIII.

Virtual Radiologic at all material times herein exercised control over the actions of Dr. Wong such that it is vicariously liable for his negligent acts and/or omissions.

XIX.

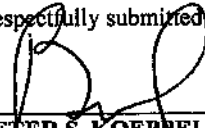
As a direct result of the negligence and/or fault of the Defendants, Plaintiffs sustained the following damages including, but not necessarily limited to the following:

- a) Past and Future Medical Expense;
- b) Mental Anguish and Emotional Distress;
- c) Survival Damages;

- d) Damages for Wrongful Death;
- e) Pre-Death Physical Pain and Suffering;
- f) Disfigurement;
- g) Past and Future Wage Loss and Loss of Earning Capacity;
- h) Lost Chance of Survival;
- i) Loss of Society and Affection;
- j) Past and Future Funeral and Burial Expense;
- k) and all others proven at trial.

WHEREFORE, Petitioners JAMES TAYLOR AND KAREN CHAPMAN, INDIVIDUALLY, AND ON BEHALF OF THE ESTATE OF JOSHUA TAYLOR pray that Defendants, Dr. Edward Wong, Virtual Radiologic Professionals, P.L.C., L.L.C., and Virtual Radiologic Corporation be served and cited to answer, and after all due delays and legal proceedings are had, there be judgment herein in favor of your Petitioners, and against your Defendants. Petitioners plead for a reasonable monetary amount, together with legal interest from date of judicial demand until paid and for all costs of these proceedings, and for all other general and equitable relief.

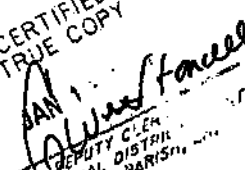
Respectfully submitted

  
PETER S. KOEPFEL - (#1465)  
LAURENCE E. BEST - (#3012)  
CHET D. TRAYLOR - (#12900)  
BRIAN A. GILBERT - (#21297)  
2030 St. Charles Avenue  
New Orleans, Louisiana 70130  
Telephone: (504) 598-1000  
Facsimile: (504) 524-1024  
ATTORNEYS FOR PLAINTIFFS

**PLEASE SERVE:**

Virtual Radiologic Professionals, P.L.C., L.L.C. and  
Virtual Radiologic Corporation  
Through their registered agent for service of process,  
CT Corporation System  
5615 Corporate Blvd., Ste. 400B  
Baton Rouge, Louisiana, 70808

SERVICE VIA LOUISIANA LONG-ARM STATUTE:  
Dr. Edward Wong, M.D.  
5995 Opus Parkway  
Minneapolis, MN 55343

CERTIFIED  
TRUE COPY  
JAN 1 11  
BY   
DEPUTY CLERK  
4TH JUDICIAL DISTRICT  
OUACHITA PARISH, LA

4<sup>th</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF OUACHITA

STATE OF LOUISIANA

NO.: 10-4414

DIVISION: " \_ "

JAMES TAYLOR AND KAREN CHAPMAN, INDIVIDUALLY, AND ON BEHALF OF  
THE ESTATE OF JOSHUA TAYLOR

Versus

EDWARD W. WONG, M.D.

FILED:

December 28,  
2010

DEPUTY CLERK:

Curt Stancu

ORIGINAL PETITION FOR DAMAGES

NOW INTO COURT, COMES JAMES TAYLOR AND KAREN CHAPMAN,  
INDIVIDUALLY, AND ON BEHALF OF THE ESTATE OF JOSHUA TAYLOR, by and  
through undersigned counsel, who with respect represents:

OUACHITA  
CLERK

I.

Made defendants herein are:

1. Dr. Edward Wong, M.D., a person of full age of majority and a resident of the  
State of Minnesota and who may be served at 5995 Opus Parkway,  
Minneapolis, MN 55343, upon information and belief, not a qualified provider  
within the meaning of the Louisiana Medical Malpractice Act.
2. Virtual Radiologic, P.L.C., L.L.C., a Minnesota limited liability corporation  
licensed to do and doing business in the State of Louisiana, who may be served  
through its registered agent for service of process, CT Corporation System  
5615 Corporate Blvd., Ste. 400B, Baton Rouge, Louisiana, 70806, upon  
information and belief, not a qualified provider within the meaning of the  
Louisiana Medical Malpractice Act.

II.

Plaintiffs James Taylor and Karen Chapman, appearing individually and on behalf of the  
Estate of Joshua Taylor, are residents of the Parish of Franklin and each has attained the full age  
of majority.

III.

At all times material hereto, defendants, Dr. Edward Wong, M.D. (hereinafter "Dr.  
Wong") and Virtual Radiologic, P.L.C., L.L.C. (hereinafter "Virtual Radiologic") held

CASE ASSIGNED TO:  
CV. SECT. 2



themselves out to the Plaintiffs, and to the public at large, to be skilled and well qualified, possessing a high degree of knowledge in the field of medical radiology.

IV.

On or about March 17, 2009, Dr. Wong, who is upon information and belief an employee and/or owner of Virtual Radiologic, was electronically forwarded CT scan images depicting the head and brain of Joshua Taylor, an eighteen year old male, now deceased, who on said date was a patient at St. Francis Medical Center in Monroe, Louisiana. Upon information and belief, the CT scan images were electronically forwarded to Defendants' offices in the State of Minnesota pursuant to a contractual agreement between Defendants and St. Francis Medical Center.

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- C. Defendants failed to use reasonable care and diligence along with their best judgment in treating Joshua Taylor;
- D. Joshua Taylor's death was proximately caused by this lack of reasonable care and diligence; failure to examine the patient; failure to clinically correlate findings; failure to follow-up; electronic medicine; any and all other negligent conduct in violation of applicable standards of care.

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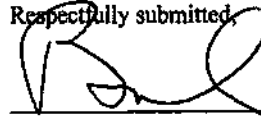
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answer, and after all due delays and legal proceedings are had, there be judgment herein in favor of your Petitioners, and against your Defendants. Petitioners plead for a reasonable monetary amount, together with legal interest from date of judicial demand until paid and for all costs of these proceedings, and for all other general and equitable relief.

Respectfully submitted,



**PETER S. KOEPPEL - (#1465)**  
**LAURENCE E. BEST - (#3012)**  
**CHET D. TRAYLOR - (#12900)**  
**BRIAN A. GILBERT - (#21297)**  
2030 St. Charles Avenue  
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**ATTORNEYS FOR PLAINTIFFS**


**PLEASE SERVE:**

Virtual Radiologic, P.L.C., L.L.C.  
through its registered agent for service of process,  
**CT Corporation System**  
**5615 Corporate Blvd., Ste. 400B**  
**Baton Rouge, Louisiana, 70808**

**SERVICE VIA LOUISIANA LONG-ARM STATUTE:**

Dr. Edward Wong, M.D.  
5995 Opus Parkway  
Minneapolis, MN 55343

**CERTIFIED  
TRUE COPY**

  
**JAN 13 2011**  
**DEPUTY CLERK**  
**4TH JUDICIAL DISTRICT COURT**  
**OUACHITA PARISH, LA**